

## TRIAL/HEARING ON:

**23-30242-hcm 6-1) 115** Motion for Relief from Stay filed by Jarom J Yates for Creditor 1st Source Bank (**RESET FROM 6/28/23**)

**23-30252-hcm 7-1) 63** Motion for Relief from Stay filed by Jarom J Yates for Creditor 1st Source Bank (**RESET FROM 6/28/23**)

## EXHIBIT INDEX AND WITNESS LIST

<b>PLAINTIFF'S /Movants</b> <b>ATTORNEY(s):</b>  Jarom Yates	<b>DEFENDANT'S/Respondent</b> <b>ATTORNEY(s):</b>  Bud Kirk	<b>Case Number:</b>
		<b>23-30242-hcm and 23-30252-hcm</b>
<b>PRESIDING JUDGE</b>  Judge H. Christopher Mott	<b>COURT REPORTER</b>  Rachel Cardenas	<b>Hearing/Trial Date(s):</b>  <b>7/12/2023</b>
<b>COURTROOM DEPUTY</b>  Ronda Farrar		

<b>PLA /Mov NO.</b>	<b>DEF/Resp NO.</b>	<b>DATE OFFERRED</b>	<b>MARKED</b>	<b>ADMITTED</b>	<b>DESCRIPTION</b>

					<b>Proffer of Courtney Rhoades</b>
					<b>Exhibits of Movant for PDN – Motion #63</b>
<b>M-1</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Loan and Security Agreements1 (Exhibit A to the Motion)</b>
<b>M-2</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Guaranties (Exhibit B to the Motion)</b>
<b>M-3</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Notes (Exhibit C to the Motion)</b>
<b>M-4</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Perfection Documents (Exhibit D to the Motion)</b>
<b>M-5</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>List of Collateral (Exhibit E to the Motion)</b>
<b>M-6</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Default and Acceleration Notice (Exhibit F to the Motion)</b>
<b>M-7</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>State Court Lawsuit Original Petition (Exhibit G to the Motion)</b>
<b>M-8</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Itemized List of Interest and Fees (Exhibit H to the Motion)</b>

<b>M-9</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Proof of Claim No. 7 filed by 1st Source on March 30, 2023 (without exhibits)</b>
					<b>Exhibits of Movant for J.A.R. – Motion #115</b>
<b>M-1</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Loan and Security Agreements1 (Exhibit A to the Motion)</b>
<b>M-2</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Guaranties (Exhibit B to the Motion)</b>
<b>M-3</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Notes (Exhibit C to the Motion)</b>
<b>M-4</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Perfection Documents (Exhibit D to the Motion)</b>
<b>M-5</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>List of Collateral (Exhibit E to the Motion)</b>
<b>M-6</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Default and Acceleration Notice (Exhibit F to the Motion)</b>
<b>M-7</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>State Court Original Petition (Exhibit G to the Motion)</b>
<b>M-8</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Itemized List of Interest and Fees (Exhibit H to the Motion)</b>
<b>M-9</b>		<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Proof of Claim No. 24 filed by 1st Source on March 30, 2023 (without exhibits)</b>
					<b>Exhibits of Debtor for PDN – Motion #63</b>
	<b>DB-1</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>UCC Financing Statement Amendment, March 20, 2018</b>
	<b>DB-2</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>UCC Financing Statement Amendment, January 17, 2019</b>
	<b>DB-3</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>UCC Financing Statement, August 14, 2020</b>
	<b>DB-4</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>UCC Financing Statement, September 23, 2020</b>
	<b>DB-5</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>UCC Financing Statement, December 18, 2020</b>
	<b>DB-6</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>UCC Financing Statement, January 26, 2021</b>
	<b>DB-7</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>UCC Financing Statement Amendment, January 12, 2022</b>
	<b>DB-8</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>UCC Financing Statement, May 27, 2021</b>
	<b>DB-9</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>UCC Financing Statement, July 26, 2021</b>

	<b>DB-10</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Title Certificate for 2008 Kenworth Mixer Truck VIDN 4011</b>
	<b>DB-11</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Title Certificate for 2008 Kenworth Mixer Truck VIDN 2744</b>
	<b>DB-12</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Photos of the Asphalt Plant</b>
	<b>DB-13</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Photos of the Stansteal Drum</b>
	<b>DB-14</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Photos of the Seven Remaining 4-Axle Ranco End-Dump Trailers</b>
	<b>DB-15</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Photos of the Ranco 27' End-Dump Trailer</b>
	<b>DB-16</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Photos of the RBT Chain Conveyer</b>
	<b>DB-17</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Photos of the Tesab Impact Crusher</b>
	<b>DB-18</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Photos of JLG 12-55A Forklift</b>
	<b>DB-19</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Photos of Genie GTH 844</b>
	<b>DB-20</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Photos of 2013 John Deere 310EP</b>
	<b>DB-21</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Photos of 2013 Dynapac CC624 HF</b>
					<b>Exhibits of Debtor for J.A.R. – Motion #115</b>
	<b>DB-1</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>UCC Financing Statement December 20, 2019</b>
	<b>DB-2</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>UCC Financing Statement Amendment January 12, 2022</b>
	<b>DB-3</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>UCC Financing Statement June 1, 2021</b>
	<b>DB-4</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Certificate of title for 2012 Freightliner Mixer VIDN -5542</b>
	<b>DB-5</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Certificate of title for 2007 Kenworth Mixer Truck VIDN -0121</b>
	<b>DB-6</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Certificate of title for 2015 International Mixer Truck VIDN -0456</b>
	<b>DB-7</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Movant's Condensed collateral list</b>
	<b>DB-8</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Photos of the Asphalt Plant</b>
	<b>DB-9</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Pictures of 4300 Water Truck</b>
	<b>DB-10</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Pictures of CEC Road Runner 6'x6" portable screen plant</b>

	<b>DB-11</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Photos of 2007 Kenworth Lube Truck</b>
	<b>DB-12</b>	<b>7/12/2023</b>		<b>7/12/2023</b>	<b>Photos of 2012 Freightliner</b>
					<b><u>Witness 1: Sean Kelley</u></b>
					<b><u>Witness 2: Joe Rosales, Jr.</u></b>